

REMARKS

In accordance with the foregoing, claims 36 and 38 are cancelled without prejudice or disclaimer and claims 2, 6, 8, and 20 are amended. Accordingly, claims 2-11, 13-35, and 37 are pending and under consideration.

Claims 2-11, 13-19, 21-34, 35, and 37

In item 6, the Office Action notes that claims 2-11, 13-19, 21-34, 35, and 37 are in condition for allowance.

Objection to Claim 36

In item 7, the Office Action objects to claim 36 as being dependent upon a rejected base claim. Claim 36 has been cancelled without prejudice or disclaimer.

Accordingly, withdrawal of this objection is respectfully requested.

Objection to claims 2, 6, 8, and 38

In item 3, the Office Action objects to claims 2, 6, 8, and 38 because “a disk chucking apparatus holding the disk on the disk tray” should be changed to –a disk chucking apparatus holding the disk apart from the disk tray.” Applicant has amended claims 2, 6, and 8 to remove “a disk chucking apparatus holding the disk on the disk tray.” Claim 38 is cancelled without prejudice or disclaimer.

Accordingly, withdrawal of this objection is respectfully requested.

Rejection of Claims 20, 34, and 38

In item 5, the Office Action rejects claims 20, 34, and 38 under 35 U.S.C. §103(a) as being unpatentable over JP Patent Application Publication 11-317065 to Kin in view of U.S. Patent Application Publication 2002/0075591 to Chang et al. (hereinafter referred to as “Chang”).

In item 7, the Office Action indicates that claim 36 contains allowable features. Applicant amends claim 20 to include the features of claim 36. Therefore, for at least these reasons, claim 20 is patentably distinguishable over the cited references.

Claim 34 depends from claim 20 and includes all of the features of claim 20. Therefore, for at least these reasons, claim 20 is also patentably distinguishable over the cited references.

Claim 38 is cancelled without prejudice or disclaimer.

Accordingly, withdrawal of this rejection is respectfully requested.

Summary

Claims 2-11, 13-35, and 37 are pending and under consideration. It is respectfully submitted that none of the references taken alone or in combination disclose the present claimed invention.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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